

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: FG/86/15/HH

LOCATION: White Thorne
The Warren
Ferring

PROPOSAL: Rooms in roof, raising ridge & installation of 6 No. dormers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Increase in ridge height by 1.2 metres and the addition of 6 no dormer windows.
SITE AREA	Approximately 665 metres squared.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site is open to the highway with a 1.8 metre high close boarded fence located to the side and rear of the dwelling.
SITE CHARACTERISTICS	The property is a detached bungalow constructed from brick with a grey tiled gable roof.
CHARACTER OF LOCALITY	The character of the locality is predominantly residential and consists of properties of a various designs and styles.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Ferring Parish Council

Ferring Parish Council would like to object to this planning application on the grounds that a proposal for six No. dormers is a considerable increase on what is existing and in our opinion it is an overdevelopment of the property.

Although the current dwelling is sited on a large piece of land, we would raise the concern that a proposal for so many dormers will impose on the neighbouring properties.

In addition it is not in keeping with the surroundings and would look radically different to the neighbouring properties.

Comments on Representations received:

Comments from the Parish Council are noted. It is acknowledged that the proposal is considered to be a considerable addition and alteration to the dwelling and as such cannot be considered to be subservient to the host dwelling nor acceptable to the street scene. Whilst it is also considered that the proposed dormers on the southern elevation of the property have the potential to give rise to unacceptable overlooking of the neighbouring property such harm can be overcome by conditions to obscure glaze and fit non opening windows.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

PD Restriction

Built Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
 GEN7
 DEV19

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and

statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Ferring Neighbourhood Plan has been made but there are considered to be no relevant policies to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is not considered to comply with relevant Development Plan policies in that it would have a materially adverse effect upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case is policies GEN7 and DEV19.

DESIGN AND VISUAL AMENITY

The application seeks permission for the increase in height of the gable roof and the addition of 3 No. dormers on the northern elevation and £ No. dormers on the southern elevation of the property.

The proposed roof alterations will include the increasing of the ridge height by approximately 1.2 metres. This alteration is considered to be problematic for a number of reasons. Currently, the design of White Thorne is complimentary to that of Swallows Drift which was constructed on land formerly part of the domestic curtilage of White Thorne. The proposed alteration to the roof will therefore appear out of character and detrimental to the appearance of the street scene contrary to policies GEN7 (ii) and DEV19 (v) of the Arun District Council Local Plan.

The proposed increase in ridge height is also considered to adversely impact upon the appearance of the host dwelling and will add considerable bulk and height to the dwelling, negatively impacting upon the character of the existing dwelling and adversely impacting upon the proportions and balance of the dwelling. Therefore, the proposed ridge height is not considered to appear subservient to the host dwelling and as such is deemed to be in conflict with policy DEV19 (i) and (ii) of the Arun District Local Plan.

The additional dormer windows are also considered to be problematic in their design and appearance. In conjunction with the increase in height of the roof they are considered to adversely impact upon the design and appearance of the dwelling. Making the property appear overly bulky when viewed within the street scene. Therefore the proposed dormers are not considered to be subservient or well integrated with the host dwelling nor the wider street scene and as such are considered to be in conflict with Policies DEV19 (i),(ii) and (v) and GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed increase in height of the roof is not considered to adversely impact upon the residential amenity of neighbouring properties. This determination is based upon White Thorne's location 5 metres from the southern boundary of the dwelling. Therefore it is not considered to give rise to any unacceptably adverse overshadowing or overbearing impacts.

The proposed 3 No. dormers on the southern elevation of the property due to their position and orientation to the neighbouring property are considered to give rise to unacceptable overlooking. However, this could be overcome by condition.

SUMMARY

It is recommended that the application is refused for the below reason.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the

submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal no impacts have been identified upon any protected characteristics.

RECOMMENDATION

REFUSE

- 1 The proposed alterations of the roof by reason of their size, scale and location, would detract from the appearance of the dwelling and would appear incongruous in the street scene and would be detrimental to the character of the area contrary to policies GEN7 (ii), DEV19(i),(ii), and (v) of the Arun District Local Plan and the National Planning Policy Framework.
- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.